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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 EDNA SANDRA BOCK-KASMINOFF, an
16 individual,

17 Case No.: 2:20-cv-00949-JAD-EJY

18 Plaintiff,

19 v.

20 WALMART, INC., a Foreign Corporation DBA
21 WALMART SUPERCENTER #5259; DOE
22 STORE MANAGERS I through X; DOE
23 STORE ASSOCIATES I through X; DOE
24 MAINTENANCE ASSOCIATES I through X;
25 DOE JANITORIAL ASSOCIATES I through
26 X; DOES I - X; ROE MAINTENANCE
27 COMPANIES XI through XX; inclusive, jointly
28 and severally,

Defendants.

STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES (Second Request)

Pursuant to LR 26-3, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, EDNA SANDRA BOCK-KASMINOFF, by and through her attorneys, KIMBALL JONES, ESQ. and SIRIA L. GUTIERREZ, ESQ., of BIGHORN LAW, and Defendant, WALMART, INC., by and through their attorneys, ROBERT K. PHILLIPS ESQ. and TIMOTHY D. KUHLS, ESQ., that the discovery deadlines and continuance of trial is sought by all parties to this litigation be extended as follows:

1 **A. STATEMENT SPECIFING THE DISCOVERY COMPLETED:**

2 The following discovery has been completed by the parties:

3 1. The parties have produced initial disclosures pursuant to FRCP Rule 26(a)(1)(A);
4 2. The parties have provided supplemental disclosures pursuant to FRCP Rule
5 26(a)(1)(A);
6 3. Defendants have propounded written discovery on Plaintiffs;
7 4. Plaintiff has responded to Defendants' written discovery;
8 5. Plaintiff has propounded written discovery on Defendants;
9 6. Defendant has responded to Plaintiffs' written discovery;
10 7. Independent Medical Examination of Plaintiff;
11 8. Site inspection of Walmart Neighborhood Market #5259 (1/27/21); and
12 9. Plaintiff's deposition (2/9/21).

14 **B. A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE
15 COMPLETED:**

16 1. Designation of experts by both parties;
17 2. Depositions of experts;
18 3. Deposition of Jae Leonhardt 3/2/21;
19 4. Depositions of Defendant's N.R.C.P. 30(b)(6) Witness(es) tentatively scheduled for
20 3/3/21;
21 5. Potential written discovery may be propounded as follow-up to the depositions yet to
22 be completed.
23 6. Any other discovery which may be determined as relevant and necessary by the parties;
24 and
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1 **C. THE REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**
2 **WITHIN THE TIME LIMITS SET BY THE DISCOVERY ORDER:**

3 The parties request a 60-day extension of all deadlines for the following reasons:

4 On January 21, 2021, after conferring with Walmart's Counsel on the date, Plaintiff noticed
5 Walmart's FRCP 30(b)(6) deposition for February 2, 2021. On February 1, 2020, Walmart's Counsel
6 reached out to Plaintiff's Counsel to advise that Store Manager, the appointed designee for the
7 deposition the following day, was not available. The Store Manager is unavailable due to scheduling
8 and ongoing inventory efforts at the store until March. Plaintiff's expert requires the FRCP 30(b)(6)
9 deposition in order to finalize his report. Additionally, a key witness for both sides has been
10 subpoenaed for deposition after expert disclosures. Judicial economy and Rule 1 that the best course
11 for the parties to continue forward is to continue the current deadlines.

13 The parties were unable to continue the deadlines in the 21-days before the expiration of the
14 deadline because Plaintiff did not become aware of the need to continue the deadlines until after the
15 21-day deadline had lapsed. Moreover, the parties have been diligently conducting discovery to meet
16 the deadline and in anticipation of the deadline.

18 **D. A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**
19 **DISCOVERY:**

	Old Deadline	New Deadline
Close of Discovery:	04/15/2021	06/14/2021
Disclosure of Experts:	02/15/2021	04/16/2021
Rebuttal of Experts:	03/18/2021	05/17/2021
Dispositive Motions:	05/13/2021	07/12/2021
Pretrial Order and FRCP 26(a)(3) Disclosures:	06/14/2021	08/13/2021

1 This request is not being made for purposes of unduly delaying discovery or the trial of this matter.
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3

4 **ORDER**
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6 IT IS SO ORDERED:
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10 UNITED STATES MAGISTRATE JUDGE

11 Dated: February 16, 2021
12

13 Dated: 2/12/2021
14

15 Dated: 2/12/21
16

17 **BIGHORN LAW**
18

19 /s/ *Siria L. Gutiérrez*
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